

purpose; providing however, such validation shall not apply to districts now in litigation; repealing all laws in conflict herewith; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 17, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 511, "An Act amending Article 8306, Revised Civil Statutes of 1925, by adding a new section to be known as Section 7-e, providing that where liability for compensation exists, the association shall furnish any and all artificial appliances that would materially and beneficially improve the future usefulness and occupational opportunities of such injured employee; providing the maximum cost of such artificial appliances; providing the association shall not be liable for having such appliances replaced or repaired; providing the method to require the association to furnish such appliances in the event of their failure to do so; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

SENT TO THE GOVERNOR

June 17, 1941

House Bill No. 161.

House Bill No. 51.

House Bill No. 624.

House Bill No. 936.

House Bill No. 933.

NINETY-SECOND DAY

(Wednesday, June 18, 1941)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Leonard.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Alsup
Allen	Avant
Allison	Bailey

Baker	Humphrey
Bean	Hutchinson
Bell	Isaacks
Benton	Jones
Blankenship	Kelly
Boone	Kersey
Brawner	Kinard
Bridgers	King
Brown	Klingeman
Bruhl	Knight
Bullock	Lansberry
Bundy	Lehman
Burkett	Leyendecker
Burnaman	Little
Carlton	Lock
Carrington	Love
Cato	Lowry
Celaya	Lucas
Chambers	Lyle
Clark	McAlister
Cleveland	McDonald
Coker	McGlasson
Colson, Mrs.	McLellan
Connelly	McMurry
Craig	McNamara
Crossley	Manford
Crosthwait	Manning
Daniel	Markle
Davis	Martin
Deen	Matthews
Dickson of Bexar	Mills
Donald	Montgomery
Dove	Moore
Duckett	Morgan
Dwyer	Morris
Ellis	Murray
Eubank	Pace
Evans	Parker
Favors	Pevehouse
Ferguson	Phillips
Files	Price
Fitzgerald	Rampy
Fuchs	Reed of Bowie
Gandy	Reed of Dallas
Garland	Ridgeway
Gilmer	Rhodes
Goodman	Roark
Halsey	Roberts
Hanna	Sallas
Hardeman	Senterfitt
Hargis	Shell
Harris of Hill	Simpson
Hartzog	Skiles
Helpinstill	Smith of Bastrop
Henderson	Smith of Atascosa
Hileman	Spacek
Hobbs	Spangler
Howard	Stanford
Howington	Stinson
Hoyo	Stubbs
Huddleston	Taylor
Huffman	Thornton
Hughes	Turner
	Vale

Voigt
Walters
Wattner
Weatherford

White
Whitesides
Winfree

Absent

Dickson of Nolan Sharpe

Absent—Excused

Bray
Harris of Dallas
Heflin
Kennedy

McCann
Morse
Nicholson

A quorum was announced present.

Prayer was offered by the Rev. George W. Coltrin, Chaplain, as follows:

"Almighty God, it is written, 'Blessed is the man whose strength is in Thee.' It is also shown us that 'Blessed is the Nation whose God is Jehovah.' As we struggle along may we not forget Thee, and may we not lose sight of Thy purposes in us. Lord, whatever we need to qualify us for best service do Thou give us today. For Christ's sake. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Kennedy, for today on account of important State business, on motion of Mr. Knight.

Mr. Bray, for today on account of important State business, on motion of Mr. Senterfitt.

Mr. McCann, for today, on motion of Mr. Senterfitt.

Mr. Harris of Dallas, for today, on motion of Mr. Roberts.

The following Member was granted leave of absence on account of illness:

Mr. Morse, for today, on motion of Mr. Little.

RELATIVE TO HOUSE BILL NO. 29

Mr. Chambers moved to suspend the Rules in order that a motion may be made to reconsider the vote by which the conference committee report on House Bill No. 29 was adopted.

The motion to suspend the Rules prevailed.

Mr. Chambers then moved that the House reconsider the vote by which

the conference committee report on House Bill No. 29 was adopted.

The motion to reconsider prevailed.

Question: Shall the conference committee report on House Bill No. 29 be adopted?

On motion of Mr. Chambers, the conference committee report on House Bill No. 29 was sent back to the same Conference Committee for further consideration.

RELATIVE TO HOUSE BILL NO. 1082

Mr. Hardeman moved to reconsider the vote by which the House concurred in Senate amendments to House Bill No. 1082.

The motion to reconsider prevailed.

Question: Shall the motion to concur prevail?

Mr. Hardeman withdrew the motion that the House concur in Senate amendments to House Bill No. 1082.

Mr. Hardeman then moved that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee on House Bill No. 1082:

Messrs. Hardeman, Bean, Eubank, Isaacks and Celaya.

BILL ORDERED NOT PRINTED

On motion of Mr. Gilmer, House Bill No. 1087 was ordered not printed.

CONFERENCE REPORT ORDERED PRINTED IN MIMEOGRAPH FORM

On motion of Mr. Alsup, the conference report on House Bill No. 284 was ordered printed in mimeograph form.

MOTIONS TO INTRODUCE CERTAIN BILLS

Mr. Deen moved to introduce the following bill:

By Mr. Deen:

H. B. No. —, A bill to be entitled "An Act declaring the floods of Floyd County to be a public calamity; authorizing an adoption and grant to Floyd County of one-half of the State ad valorem taxes collected in Floyd County for any purpose permitted by and not inconsistent with the Constitution, including the repairs and improvement for bridges, culverts, public roads, and terracing farms; specifying the reports thereon to be made by the Assessor and Collector of Taxes; providing that if any provision of this Act shall be held invalid the other provisions shall not be affected; and declaring an emergency."

The motion was lost.

Mr. Donald moved to introduce the following bill:

By Mr. Donald:

H. B. No. —, A bill to be entitled "An Act to aid Montague County, Texas, in the procuring of land, laying out, constructing and reconstructing public roads and highways and bridges in the various commissioners' precincts of said county, to aid in projects sponsored by Montague County, Texas, in cooperation with Federal Works Progress Administration or its successors and for general relief and rehabilitation purposes; authorizing the Commissioners' Court of Montague County, Texas, to issue short term bonds, limiting the amount thereof and the interest to be paid thereon; providing a penalty for misappropriation of the moneys donated; defining certain conditions within said county to constitute a public calamity and declaring an emergency; providing that if any section, subsection, paragraph, clause, sentence, or word of this Act or the application thereof to any person or circumstance is held invalid, such holding shall not affect the validity of the remaining provisions of this Act, the Legislature declaring that it would have passed such remaining portions, despite any partial invalidity."

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—62

Avant	Kersey
Bailey	Knight
Baker	Lehman
Bean	Leyendecker
Bell	Lock
Benton	Love
Boone	Lucas
Burnaman	Lyle
Carrington	McDonald
Cato	McGlasson
Chambers	McLellan
Coker	Manning
Colson, Mrs.	Martin
Connelly	Mills
Daniel	Montgomery
Deen	Murray
Dickson of Bexar	Pace
Donald	Parker
Dove	Pevehouse
Duckett	Reed of Dallas
Eubank	Rhodes
Evans	Roark
Favors	Roberts
Fitzgerald	Shell
Halsey	Simpson
Hargis	Skiles
Hobbs	Spacek
Huddleston	Taylor
Humphrey	Turner
Hutchinson	Whitesides
Kelly	Winfree

Nays—41

Allen	Howington
Alsup	Huffman
Blankenship	Hughes
Brawner	Jones
Bullock	King
Carlton	Lansberry
Clark	McAlister
Cleveland	McNamara
Craig	Matthews
Crossley	Moore
Crosthwait	Morgan
Davis	Morris
Ellis	Phillips
Ferguson	Price
Files	Reed of Bowie
Fuchs	Smith of Bastrop
Garland	Smith of Atascosa
Goodman	Stinson
Harris of Hill	Wattner
Henderson	Weatherford
Hileman	

Absent

Allison	Celaya
Bridgers	Dickson of Nolan
Brown	Dwyer
Bruhl	Gandy
Bundy	Gilmer
Burkett	Hanna

Hardeman	Rampy
Hartzog	Ridgeway
Helpinstill	Sallas
Howard	Senterfitt
Hoyo	Sharpe
Isaacks	Spangler
Kinard	Stanford
Klingeman	Stubbs
Little	Thornton
Lowry	Vale
McMurry	Voigt
Manford	Walters
Markle	White

Absent—Excused

Bray	McCann
Harris of Dallas	Morse
Heflin	Nicholson
Kennedy	

Mr. Morris moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

The motion to adjourn was lost.

RELATIVE TO USE OF THE HALL OF THE HOUSE

Mr. Skiles offered the following resolution:

H. S. R. No. 339, Relative to Use of the Hall of the House.

Whereas, A large number of candidates are now engaged in campaigns in behalf of their candidacy for membership in the United States Senate; and

Whereas, A number of these candidates will, between now and June 28th, hold meetings in Austin; and

Whereas, This season has been marked by unusual rains; and

Whereas, Such rains prevent the holding of outdoor meetings; now, therefore, be it

Resolved, That these candidates be invited to hold their meetings in the Hall of the House of Representatives on any night when the weather prevents their being held outdoors.

On motion of Mr. Skiles, the resolution was laid on the table.

(Mr. Hardeman in the Chair.)

Mr. Reed of Dallas moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

The motion to adjourn was lost.

MEMORIALIZING CONGRESS IN REGARD TO PASSAGE OF CERTAIN LEGISLATION

Mr. Hardeman offered the following resolution:

H. S. R. No. 347, Memorializing

Congress in Regard to Passage of Certain Legislation.

Whereas, There is now pending before the Ways and Means Committee of the House of Representatives of the Congress of the United States a proposed measure which would deprive the citizens of Texas of their rights under the community property laws of this State as applied to their income tax returns and payments; and

Whereas, Insofar as income tax payments are concerned, such measure has the effect of repealing, nullifying and destroying the Texas community property law provided for in the State Constitution and heretofore assumed to have been adequately safeguarded against Federal encroachment and nullification under terms of Texas entrance into the Union; now, therefore, be it

Resolved by the House of Representatives, That each member of the Texas delegation in the House of Representatives of the Congress of the United States and in the Senate of the United States be urged to use his best efforts against the passage of any such measure to the end that the people of Texas may be protected in the property rights under which this and other States have lived for so many years; and, be it further

Resolved, That a copy of this resolution be sent to each of the Representatives from the State of Texas in the Congress of the United States and to the two United States Senators from Texas, to the Vice-President of the United States, and to the Speaker of the House of Representatives of the Congress of the United States.

HARDEMAN,
LANSBERRY.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson,

Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Rhodes, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Lansberry, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was adopted.

EXPRESSING SYMPATHY OF THE HOUSE

Mr. Hardeman offered the following resolution:

H. S. R. No. 348, Expressing Sympathy of the House.

Whereas, The wife of our distinguished Speaker has been confined to the hospital since last Saturday night; and

Whereas, Her smiling face and congenial spirit is missed by the Members of the House; and

Whereas, Her distinguished husband and her charming daughters are temporarily deprived of her counsel, association and attention; now, therefore, be it

Resolved, by the House of Representatives, That we express our sympathy to Mrs. Leonard in her illness and wish for her a speedy and permanent recovery and that the Chief Clerk be directed to send appropriate flowers to Mrs. Leonard on behalf of the House of Representatives.

HARDEMAN,
ALSUP.

The resolution was read second time.

Signed—Allen, Allison, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Rhodes, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Rampy, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

EXTENDING CONGRATULATIONS OF THE HOUSE

Mr. Duckett offered the following resolution:

H. S. R. No. 349, Extending congratulations of the House to Hon. and Mrs. Henry G. Lehman.

Whereas, The unerring aim of Dan Cupid struck amidst the ranks of the Bachelors of the House of Representatives with devastating force a few days ago, one who had before him many, many years of single bliss; and

Whereas, This loss to the single members represents a gain to those encumbered Members of the House of Representatives who heretofore have succumbed without protest to that which finally becomes the fate and destiny of all men; and

Whereas, The House feels some degree of sorrow for the single Members of the House in the loss of their brother bachelor, yet the admission that in taking a bride, the charming, beautiful and gracious Tommy Jones, our Honorable Member, Henry G. Lehman, has stirred the hopes in the hearts of every single Member, that he too, might be rewarded by so lovely a bride if he would but put aside his bachelor ideas; now, therefore,

The House desires to express by this resolution a dual thought: To Tommy and Henry G. Lehman, our newest newly-weds, our sincere congratulations that, not only for the remainder of this session, but for all their lives, they may enjoy all good things, happiness, and success in anything they undertake in their mutual life.

Resolved, That the House request the Honorable Henry G. Lehman to forthwith bring his charming bride to the platform of the House to be presented to the House with proper ceremony.

DUCKETT,
RIDGEWAY,
WATTNER,
DAVIS,
WHITESIDES,
KLINGEMAN,
FERGUSON,
CRAIG,
McNAMARA.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Crossley, Crosthwait, Daniel, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Dwyer, Ellis, Eubank, Evans, Favors, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill,

Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Knight, Lansberry, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rappy, Reed of Bowie, Reed of Dallas, Rhodes, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Weatherford, White and Winfree.

On the motion of Mr. Manning, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.

In accordance with the above action the Speaker announced the appointment of the following committee to escort Hon. and Mrs. Henry G. Lehman to the Speaker's stand:

Messrs. Duckett, Ridgeway, Wattner, Davis, Whitesides, Klingeman, Ferguson, Craig and McNamara.

The committee having performed their duty, Speaker Leonard presented Hon. Walter Ferguson who introduced Mrs. Lehman to the House.

Mrs. Lehman addressed the House.

Mr. Lehman was presented and addressed the House.

Mr. Ferguson, on behalf of the Members of the House, presented Mr. and Mrs. Lehman with a gift.

HOUSE BILL NO. 703 WITH SENATE AMENDMENTS

Mr. Bean called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 703, A bill to be entitled "An Act creating the office of County Purchasing Agent in all counties

in this State, having a population of more than 90,000 inhabitants and less than 200,000 inhabitants, as shown by the latest United States census, and any future census, providing for the appointment of such agent, prescribing his duties and fixing his compensation, prescribing the procedure for bids, prescribing a penalty for the violation of this Act, repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Mr. Bean moved that the House concur in the Senate amendments.

Mr. Lowry moved as a substitute motion, that the House do not concur in the Senate amendments, and that a conference committee be requested to adjust the differences between the two Houses on the bill.

(Speaker in the Chair.)

Question recurring on the substitute motion by Mr. Lowry, it prevailed.

Mr. Lowry moved to reconsider the vote by which the substitute motion prevailed, and to table the motion to reconsider.

The motion to table prevailed.

In accordance with the above action the Speaker announced the appointment of the following Conference Committee on House Bill No. 703:

Messrs. Rhodes, Bean, Isaacks, Lowry and Kinard.

NOTICE GIVEN

Mr. Montgomery gave notice that he would on the next legislative day move to take up for consideration at that time, House Bill No. 190, which bill was heretofore laid on the table subject to call.

BILL ORDERED NOT PRINTED

Mr. Kersey moved that Senate Bill No. 505 be not printed.

The motion prevailed.

MESSAGE FROM THE SENATE

Austin, Texas, June 18, 1941

Hon. Homer Leonard, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the following:

H. C. R. No. 249, Recalling House Bill No. 161 from the Governor's office at once for further consideration.

Respectfully,

BOB BARKER,

Secretary of the Senate.

COMMUNICATION

The Speaker laid before the House and had read the following communication:

Sidney, Australia,
13th May, 1941.

The President, House of Representatives, Texas, U. S. A.

Sir: Last week's cables told us Australians that your Legislature had passed a resolution that in its opinion ships laden with munitions, planes and food for Great Britain should be convoyed by the American Navy, even if it meant bringing the United States of America in to this conflict and that copy of the same be forwarded to one of the world's Big Three, the President of the said States, the other two being Messrs. Wendel Willkie and Winston Churchill.

How proud civilization should be for producing such outstanding and gifted personalities. The said expression of opinion was received by us in Australia with gratitude, appreciation and feelings of deep emotion and at the same time it was hoped that in the very near future Australia would be favored by being privileged to repay in some small measure the courageous stand taken by the Parliamentary Representatives of a splendid and influential State in the righteous cause of a democracy.

I am sending under separate cover an illustrated booklet dealing with Australia and trust you will find it interesting and informative.

Again thanking you and your fellow Legislators.

Respectfully and gratefully yours,
J. J. MULLIGAN.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed in the presence of the House after giving due notice

thereof and their captions had been read severally the following enrolled bills and resolutions:

S. J. R. No. 21, Proposing an amendment to the Constitution of the State of Texas authorizing the Legislature to appropriate Seventy-five Thousand Dollars or so much thereof as may be necessary to pay claims incurred by John Tarleton Agricultural College for the construction of a building on the campus of such college pursuant to deficiency authorization by the Governor of Texas on August 31st, 1937.

S. C. R. No. 47, Providing for the extension of certain lease.

S. C. R. No. 79, Relating to Federal cooperation in cotton research.

S. C. R. No. 80, Recalling Senate Bill No. 429 from the Governor.

H. C. R. No. 133, To grant W. L. Priddy permission to sue the State.

H. C. R. No. 224, Authorizing the loan of certain highway equipment.

H. C. R. No. 249, Recalling House Bill No. 161 from the Governor.

H. C. R. No. 130, To grant J. Clyde Cummings permission to sue the State.

H. C. R. No. 117, To grant William Trakas permission to sue the State.

H. C. R. No. 96, Authorizing the loan of certain highway equipment.

H. C. R. No. 222, Relative to the payment of certain warrants at face value.

H. B. No. 543, "An Act authorizing the State Forester to designate certain of his employees as peace officers; and declaring an emergency."

H. B. No. 544, "An Act authorizing employees of the Texas Forest Service and such additional outside help or assistance they might call on to enter on any privately owned lands for the purpose of investigating and controlling forest and grass fires that appear to be or are burning uncontrolled; and declaring an emergency."

H. B. No. 1053, "An Act amending Section Five (5) of House Bill No. 194, Acts of the 41st Legislature 1929, Chapter 292, by reducing the interest rate of bonds in which taxes

remitted to the City of Port Arthur may be invested; and declaring an emergency."

H. B. No. 891, "An Act to validate, ratify, approve and confirm the acts of all housing authorities created by and organized pursuant to the 'Housing Authorities Law' of the State of Texas, and which are located in any county in Texas having a population of not less than Ninety Thousand (90,000) and not more than One Hundred Thousand (100,000) according to the last preceding Federal Census, in undertaking the development and administration of housing projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities, who would not otherwise be able to secure such dwellings within the vicinity thereof, etc.; and declaring an emergency."

H. B. No. 1080, "An Act providing that all counties within this State, having a population of not less than eighty thousand (80,000) inhabitants nor more than two hundred twenty-five thousand (225,000) inhabitants, according to the last preceding Federal Census, and in which there is located no Court of Civil Appeals, may, upon an order being made by their Commissioners' Courts for this purpose, provide for and maintain a county law library, etc.; and declaring an emergency."

H. B. No. 501, "An Act making it unlawful to take or kill wild deer in the Counties of Tom Green, Irion, Sterling, Reagan and Glasscock for a period of five (5) years; prescribing penalty for the violation of this Act; and declaring an emergency."

H. B. No. 502, "An Act to amend Senate Bill No. 175, being Chapter 15 of the Acts of the Forty-sixth Legislature, approved March 25, 1939, authorizing independent school districts and cities which have assumed the control of public schools situated therein to build or purchase buildings and grounds located within or without the district or city, for the purpose of constructing gymnasiums, stadia, or other recreational facilities, and to authorize the purchase of additional buildings and grounds for such purposes, and to mortgage and encumber the same, and the income

thereof, and to evidence the obligation therefor by the issuance of bonds to secure the payment of funds to purchase or construct or to purchase and construct the same, etc.; and declaring an emergency."

H. B. No. 1019, "An Act validating consolidation of certain common school districts, independent school districts and consolidated independent school districts and county line school districts, wherein a majority of the voters of each of the affected districts approve such a consolidation at an election held for such purpose; providing, however, such validation shall not apply to districts now in litigation; repealing all laws in conflict herewith; and declaring an emergency."

H. B. No. 963, "An Act appropriating out of the State General Revenue Fund the sum of One Thousand (\$1,000.00) Dollars to the Eddins Common School District, No. 62, Shelby County, Texas, to be used by said school district in rebuilding a public schoolhouse within the district."

H. B. No. 918, "An Act applicable to all counties in this State having a population of not less than fifty thousand, nine hundred and fifty (50,950), nor more than fifty-one thousand, one hundred (51,100), in all counties having a population of not less than thirty-four thousand (34,000), nor more than thirty-five thousand (35,000), in all counties having a population of not less than ten thousand, seven hundred, seventy-five (10,775), nor more than ten thousand, nine hundred (10,900), and in all counties having a population of not less than twenty-nine thousand, two hundred, twenty-five (29,225), nor more than twenty-nine thousand, two hundred, forty (29,240), according to the last Federal Census, and prescribing the time and place of meeting of the County Board of School Trustees in such counties, etc.; and declaring an emergency."

H. B. No. 931, "An Act declaring it unlawful for any person to kill, take, or have in his possession for purpose of sale in Angelina, Tyler, Newton and Jasper Counties any wild fox or the pelts thereof, providing that this law shall be enforced for a period of two (2) years; providing

various exemptions and exceptions; prescribing a penalty for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

H. B. No. 1064, "An Act to amend Section 2 of Chapter 11 of Subdivision III, Water Improvement Districts, Acts of the 46th Legislature, Regular Session (House Bill No. 594, approved April 18, 1939, and effective the same date) so as to provide for dividing Water Improvement Districts organized or operated under Chapter 2 of Title 128, Revised Civil Statutes of Texas of 1925, when such Districts are operated under contract with the Department of the Interior of the Government of the United States, into divisions for the election of Directors thereof; validating and confirming all orders heretofore made by the Board of Directors of such Districts, etc., and declaring an emergency."

H. B. No. 511, "An Act amending Article 8306, Section 7, of the Revised Civil Statutes of Texas, 1925, as amended by Acts of the Forty-sixth Legislature of Texas, 1939, page 712, so as to provide for the furnishing of artificial appliances to injured claimants; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. B. No. 1086, "An Act declaring the recent flood in the City of Albany and elsewhere in Shackelford County to be a public calamity; donating and granting to the City of Albany, Texas, for a period of ten years one-half of the State ad valorem taxes collected in Shackelford County for general revenue purposes; declaring the moneys so granted to be trust funds to aid said city in paying interest on and principal of and providing sinking fund for bonds or warrants hereafter issued by said city; specifying that the proceeds of such bonds or warrants be used exclusively in the construction of flood control works and improvements in conservation and utilization of water, in replacement of destroyed city lake, in repair and rebuilding of city waterworks system; prohibiting diversion of such moneys, etc.; and declaring an emergency."

H. B. No. 663, "An Act to amend an Act for the promotion, protection

and development of the Commercial Potato Growing Industry of Texas, same being Senate Bill No. 158 of the Acts of the Second Called Session of the Forty-first Legislature, and being Article 117A of Title 4, Chapter 6, Vernon's Annotated Statutes of Texas, 1925, by amending Section 3 of said Act to make the provisions thereof applicable to 'commercial quantities' of potatoes and defining the term 'commercial quantities' as used therein; and declaring an emergency."

H. B. No. 425, "An Act to amend Article 5949, Revised Civil Statutes of 1925, as amended by Acts of the Forty-sixth Legislature, page 498, Regular Session, 1939, so as to provide for appointment of notaries public by the Secretary of State of the State of Texas; prescribing their qualifications and terms of office; providing that this Act shall not affect the terms of those persons who have qualified as notaries public prior to the effective date hereof; and declaring an emergency."

H. B. No. 1050, "An Act to amend Section 1 of House Bill 738 of the 35th Legislature, Chapter 76, Acts 1917, Special Laws, page 295, so as to change the name of the 'Remlig County Line Independent School District' to 'Brookeland Independent School District'; and declaring an emergency."

H. B. No. 689, "An Act amending House Bill No. 920 of the General and Special Laws of the Forty-third Regular Session of the Legislature making it lawful to take fur bearing animals by trap in San Augustine and Sabine Counties."

H. B. No. 862, "An Act to validate all ad valorem tax levies heretofore made by incorporated cities and towns in the State of Texas for current expenses, for support of public free schools and for interest and sinking funds to pay bonded obligations heretofore authorized by the electorate, which levies are void and unenforceable because the governing bodies of such cities and towns failed to make such levies by formal ordinance or made the levies prior to final approval of the annual budget, or because the levies were made and adopted without the tax rolls being actually before such governing bodies, and making all such levies

enforceable under this Act as though adopted originally by ordinance in strict compliance with all requirements of law, etc.; and declaring an emergency."

H. B. No. 370, "An Act authorizing the sale of all United States Treasury Bonds held for the account of the Permanent School Fund at September 1, 1940, and declaring an emergency."

H. B. No. 417, "An Act amending Article 190a, Revised Civil Statutes, by adding Childress County to the list of counties named therein; and declaring an emergency."

H. B. No. 788, "An Act applicable to the County of Coke, State of Texas, prohibiting the transportation of minnows taken in said county beyond the borders of said county for the purpose of sale; limiting the number of minnows to be transported beyond the borders of said county; prohibiting the use of trotlines or throw-lines containing more than twenty-five (25) hooks; limiting the use of such lines to a maximum of two such lines to any person or group of persons; providing for a closed season on fishing in said county, with certain exceptions; providing legal length of catfish in said county; providing the daily bag limit of catfish; providing penalties for any violation of this Act; and declaring an emergency."

H. B. No. 995, "An Act to declare a closed season on the killing of wild deer and wild turkey in Throckmorton, Shackelford and Haskell Counties for a period ending February 1, 1946; prescribing a penalty therefor; repealing House Bill No. 198 of the Forty-seventh Legislature; and declaring an emergency."

H. B. No. 1054, "An Act amending Section 19 (f) of Article 3912e, also known as Section 19 (f) of Acts of the Second Called Session of the Forty-fourth Legislature, Chapter 465, page 1762, by adding thereto a new section, to be known as Section 19 (f-1) of Article 3912e, to make adequate provision for the employment and compensation of assistants and employees by the District Attorney or Criminal District Attorney in any county having a population of not less than Three Hundred Twen-

ty-five Thousand (325,000) nor more than Five Hundred Thousand (500,000) inhabitants, according to the last preceding or any future Federal Census; and providing further for the employment and compensation of certain additional assistants and employees by the District Attorney or Criminal District Attorney, by and with the advice and consent of the Commissioners Court in any county having a population of not less than Three Hundred Twenty-five Thousand (325,000) nor more than Five Hundred Thousand (500,000) inhabitants, according to the last preceding or any future Federal Census; and declaring an emergency."

H. B. No. 1069, "An Act prescribing the time of meeting of the county board of school trustees in counties containing a population of not less than forty-eight thousand and eight hundred (48,800) and not more than fifty thousand and four hundred (50,400) inhabitants, according to the last preceding Federal Census, the meeting place of said board, the compensation to be paid each county school trustee, and the fund out of which said compensation shall be paid; providing that this Act shall be cumulative of all existing laws on this subject when not in conflict and when in conflict the provisions of this Act shall control; repealing all laws in conflict; and declaring an emergency."

ADJOURNMENT

Mr. McAlister moved that the House adjourn until 10:00 o'clock a. m. tomorrow.

Mr. Manning moved that the House recess until 3:00 o'clock p. m. today.

Question recurring on the motion to adjourn, yeas and nays were demanded.

The motion to adjourn prevailed by the following vote:

Yeas—71

Allen	Benton
Alsup	Blankenship
Avant	Browner
Bailey	Brown

Burnaman
Carlton
Clark
Cleveland
Crosthwait
Dickson of Bexar
Ellis
Ferguson
Files
Fuchs
Gandy
Garland
Hardeman
Hargis
Harris of Hill
Henderson
Hileman
Howard
Huffman
Hughes
Jones
Kelly
Kinard
Knight
Lansberry
Leyendecker
Little
Lock
Love
Lowry
McAlister
McGlasson

McNamara
Markle
Martin
Mills
Montgomery
Morris
Pace
Parker
Pevehouse
Phillips
Price
Rampy
Reed of Dallas
Rhodes
Roberts
Shell
Skiles
Smith of Bastrop
Smith of Atascosa
Spangler
Stanford
Stinson
Taylor
Thornton
Turner
Walters
Wattner
Weatherford
White
Whitesides
Winfree

Nays—55

Baker	Howington
Bean	Hoyo
Bell	Huddleston
Bridgers	Humphrey
Bullock	Hutchinson
Carrington	Isaacks
Cato	Kersey
Chambers	King
Coker	Klingeman
Colson, Mrs.	Lehman
Connelly	Lucas
Craig	Lyle
Crossley	McDonald
Daniel	McLellan
Davis	Manford
Deen	Manning
Donald	Matthews
Dove	Moore
Duckett	Morgan
Eubank	Murray
Evans	Reed of Bowie
Favors	Ridgeway
Gilmer	Roark
Goodman	Senterfitt
Halsey	Simpson
Hartzog	Spacek
Helpinstill	Stubbs
Hobbs	

Absent

Allison	Fitzgerald
Boone	Hanna
Bruhl	McMurry
Bundy	Sallas
Burkett	Sharpe
Celaya	Vale
Dickson of Nolan	Voigt
Dwyer	

Absent—Excused

Bray	McCann
Harris of Dallas	Morse
Heflin	Nicholson
Kennedy	

The House accordingly, at 12:25 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX**STANDING COMMITTEE REPORTS**

The following Committees have filed favorable reports on bills, as follows:

Appropriations: House Bill No. 1087.

State Affairs: House Concurrent Resolution No. 247 and Senate Bill No. 505.

Public Lands and Buildings: House Bill No. 1088.

The Committee on Appropriations filed an adverse report on Senate Bill No. 395.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 589, A bill to be entitled "An Act declaring the floods of Newton County, Texas, to be a public calamity; authorizing a donation and grant to Newton County Flood Control District of the State ad valorem taxes collected in Newton County for flood control improvement and maintenance purposes, specifying the reports thereon to be made by the

Assessor and Collector of Taxes; authorizing the issuance of bonds secured by a pledge of the funds donated and granted by the State and prescribing the manner of issuance thereof; providing the procedure hereunder for all matters relating to said donation; providing that if any provision of this Act shall be held invalid, the other provisions shall not be affected; and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

SMITH of Bastrop, Vice Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 627, "An Act to amend Section 12 of House Bill No. 821, Chapter 462, page 1144, Regular Session of the Forty-fifth Legislature, as amended by House Bill No. 102, Chapter 41, page 1924, Second Called Session of the Forty-fifth Legislature, as amended by House Bill No. 834, Chapter 1, page 427, Regular Session of the Forty-sixth Legislature, and to add thereto eight (8) new sections to be known as Sections 23a, 23b, 23c, 23d, 23e, 23f, 23g, and 23h; to authorize housing authorities to acquire by the exercise of the power of eminent domain any interest in real property; to create housing authorities for counties; to provide for the creation of regional housing authorities; to define the area of operation and powers of regional housing authorities; providing for the appointment of commissioners of regional housing authorities, to authorize the undertaking of housing projects for farmers of low income; providing the powers conferred shall be supplemental to powers conferred by other law; providing the Act shall control in the event of inconsistency with other Acts; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 741, "An Act defining the word 'person' and providing that every director, officer, agent, employee, or member of any firm, co-partnership, association, or corporation participating in, aiding, or authorizing any violation of this Act shall be subject to the punishment provided herein; making it unlawful for any person, with exceptions, to open and refill or re-use the container, can, tank, pump, or other distributing device of any manufacturer, processor, or distributor, for the purpose of offering for sale or selling lubricating oils, greases, and similar products therefrom when said container, can, tank, pump, or distributing device bears the trade-mark, symbol, sign, or other distinguishing mark of said manufacturer, processor, or distributor, or of his products; providing that the possession of any refilled container, can, tank, pump, or distributing device shall be prima facie evidence of possession thereof for the purpose of sale; making it unlawful to imitate the design, symbol, or trade name of recognized brands of lubricating oils, greases, or similar products or to expose for sale or sell any such products under any trade-mark, trade name, or other distinguishing mark, other than those of the manufacturer, processor, or distributor of such products, or to aid or assist any person in the violation of the Act; prescribing penalties; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 788, "An Act, applicable to the Counties of Coke, Irion, and Sterling, State of Texas, prohibiting the transportation of minnows taken in said Counties beyond the borders

of said Counties for the purpose of sale; limiting the number of minnows to be transported beyond the borders of said Counties; prohibiting the use of trotlines or throw lines containing more than twenty-five (25) hooks; limiting the use of such lines to a maximum of two (2) such lines to any person or group of persons; providing for a closed season on fishing in said Counties with certain exceptions; providing legal length of catfish in said Counties; providing the daily bag limit of catfish; providing penalties for any violation of this Act; providing expiration date of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 425, "An Act to amend Article 5949, Revised Civil Statutes of Texas of 1925, as amended by Chapter 9 of the Acts of the Regular Session of the Fortieth Legislature so as to provide for appointment of notaries public by the Secretary of State of the State of Texas; prescribing their qualifications and terms of office; providing that this Act shall not affect the terms of those persons who have qualified as notaries public prior to the effective date hereof; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 931, "An Act declaring it unlawful for any person to kill, take, or have in his possession for the purpose of sale in Angelina, Tyler, Newton, and Jasper Counties any wild fox or the pelt thereof; providing that this law shall be enforced for a period of two (2) years; providing various exemptions and ex-

ceptions; prescribing a penalty for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 956, "An Act amending Chapter 7, Title 93, of the Revised Civil Statutes of Texas, 1925, as amended, by adding a new article to be numbered Article 5708a, providing for the appointment of county sealers and deputy county sealers of weights and measures, at the discretion of the Commissioners Court, in any county having a population of not less than sixty-nine thousand, four hundred (69,400) and not more than seventy thousand (70,000), according to the last or any succeeding United States Census; providing that the salaries for such county sealers and deputy sealers shall be set by the Commissioners Court and not to be less than Fifteen Hundred Dollars (\$1500) a year; providing that no fee shall be charged by such sealers or by the county; defining the authority, duties, and responsibilities of such county sealers and deputies; providing that two (2) or more counties, or a county and a city situated therein, may combine the whole or any part of their district, for the purpose of appointing one sealer, upon the written consent of the Commissioner of Agriculture; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 963, "An Act appropriating out of the State General Revenue

Fund the sum of One Thousand Dollars (\$1,000) to the Eddins Common School District No. 62, Shelby County, Texas, to be used by said School District in rebuilding a public school house within the District; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1076, "An Act authorizing the qualified voters of Hooks Independent School District, situated wholly within Bowie County, a district containing not less than fifty-nine (59) square miles in area, and having an assessed property valuation of not less than Three Hundred and Seventy Thousand Dollars (\$370,000), to determine whether or not such district shall levy a tax for maintenance and bond purposes, the maximum of which for both of such purposes shall not exceed One Dollar and Fifty Cents (\$1.50) on the one hundred dollars valuation in any one year; provided that not more than One Dollar (\$1) of said tax shall be voted for bond purposes and not more than Fifty (50¢) Cents shall be voted for maintenance purposes; providing that said tax shall be authorized, levied, assessed, and collected under provisions of the law applicable to independent school district taxes; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1064, "An Act to amend Section 2 of Chapter 11 of Subdivision III, Water Improvement Districts, Acts of the Forty-sixth Legislature, Regular Session, House Bill

No. 594, approved April 18, 1939, and effective the same date, so as to provide for dividing Water Improvement Districts organized or operated under Chapter 2 of Title 128, Revised Civil Statutes of Texas of 1925, when such Districts are operated under contract with the Department of the Interior of the Government of the United States, into divisions for the election of Directors thereof; validating and confirming all orders heretofore made by the Board of Directors of such Districts, dividing said Districts into divisions, and validating and confirming all elections heretofore held for Directors for each of such divisions; requiring Directors thereof to be owners of land subject to taxation in the division from which they are elected; providing for the election of such Directors by the vote of the qualified electors of the whole Water Improvement District; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1053, "An Act amending Section 5 of House Bill No. 194, Acts of the Forty-first Legislature, 1929, Chapter 292, page 656, by reducing the interest rate of bonds in which taxes remitted to the City of Port Arthur may be invested; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1045, "An Act providing that it shall be unlawful to buy or sell any fish caught in Possum Kingdom Lake Located in Stephens, Palo Pinto, and Young Counties or in any of the backwaters; any person found guilty of violation of the Act shall be fined not less than Five Dollars

(\$5) nor more than One Hundred Dollars (\$100); and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1036, "An Act validating all consolidated rural high school districts having a scholastic population of not less than two hundred and fifty (250) and not more than seven hundred (700), according to the last preceding scholastic enumeration, and located in counties having a population of not less than thirty-one thousand, one hundred and thirty (31,130) and not more than thirty-one thousand, one hundred and forty-five (31,145) inhabitants, according to the last preceding Federal Census, created by an act of the County Board of Trustees out of a district or districts which had theretofore been a consolidated school district or districts; validating all elections, the levying of taxes, bond issues and taxes levied therefor, and all bonds voted but not issued; providing that this Act shall not apply to any district now involved in tax litigation; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 502, "An Act to amend Senate Bill No. 175, being Chapter 15 of the Acts of the Forty-sixth Legislature, approved March 25, 1939, authorizing independent school districts and cities which have assumed the control of public schools situated therein to build or purchase buildings and grounds located within or without the district or city, for the purpose of constructing gymnasias, stadia, or other recreational facilities."

ties, to build additions thereto, and to authorize the purchase of additional buildings and grounds for such purposes, and to mortgage and encumber the same, and the income thereof, and to evidence the obligation thereof by the issuance of bonds to secure the payment of funds to purchase or construct or to purchase and construct the same; providing that the purchaser shall have a franchise to operate the same in case of foreclosure; providing that no such obligation shall ever be a debt of any such school district or city, but solely a charge upon the property so encumbered; providing that no election for the issuance of such bonds shall be necessary; providing that such project shall be deemed self-liquidating in character; providing that such bonds may be authorized by a majority vote of the boards of trustees of such school districts or the governing bodies of any such cities; providing that the cost of maintaining and operating the project shall be a first charge against the revenues of the project; providing that such bonds shall be payable from the net revenues of the project, together with all future extensions or additions thereto, or replacements thereof; providing for the payment of said bonds, providing that the holder of said bonds shall never have the right to demand payment thereof out of any funds raised or to be raised by taxation; providing that said bonds shall be approved by the Attorney General and registered by the State Comptroller; providing that no bonds authorized shall be issued or executed after the expiration of two (2) years from the effective date of this Act; providing that no land upon which is situated school improvements shall be subject to the indebtedness created hereunder; validating Acts heretofore performed by school districts; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 501, "An Act making it unlawful to hunt, take, or kill wild deer in the Counties of Tom Green, Irion, Sterling, Reagan, and Glasscock for a period of five (5) years; prescribing penalty for the violation of this Act; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 995, "An Act to declare a closed season on the killing of wild deer and wild turkey in Throckmorton, Shackelford, and Haskell Counties for a period ending February 1, 1946; prescribing a penalty therefor; repealing House Bill No. 198 of the Forty-seventh Legislature; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 974, "An Act to amend Section 18, Chapter 41, Acts of the Fortieth Legislature, First Called Session, as amended by Section 2 of House Bill No. 614, Acts of the Regular Session of the Forty-sixth Legislature, to provide that any citizen of Texas wishing to file the record of any birth or death, not previously registered, may submit such record to the probate court in the county where such person resides rather than where the birth or death occurred as now required; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 942, "An Act amending Section 6, Chapter 2, Acts of the Forty-second Legislature, Fourth Called Session, as amended by Section 9, Chapter 76, Acts of the Forty-fourth Legislature, Regular Session, and providing that the Railroad Commission of Texas shall limit production of crude petroleum oil in this State to the reasonable market demand therefor; providing for the allocation of the allowable among the pools in the State; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 420, "An Act to regulate the sale and labeling of agricultural and vegetable seeds in the State of Texas; and defining the manner of labeling of same by seed dealers who may expose and/or offer such seed for sale; providing for the testing of such seeds for germination and other purposes; defining person; agricultural seeds, vegetable seeds, hybrid seed corn, weed seeds, noxious-weed seeds and secondary noxious-weed seeds and advertisement; setting up labeling requirements for seeds, the sale of which is regulated by this Act and defining the physical testing methods of testing such seeds; setting up certain prohibitions in the sale, or offering for sale, of seeds, the sale of which are regulated by this Act; providing farmer exemption and defining certain other exemptions; prescribing the duties of the Commissioner of Agriculture, and authorizing the Commissioner to promulgate rules and regulations in conformity with this Act; providing for the inspection and sampling of seed transported, sold, or offered for sale within the State; providing for the holding of public hearings; pro-

viding for the right of ingress and egress by the Commissioner, his agents and/or employees, giving the Commissioner the authority to issue and enforce stop-sale orders; to make provisions and maintain seed testing facilities; to fix and collect charges for tests and for such labels as may be sold to dealers and others; to cooperate with the United States Department of Agriculture; providing for an inspection tax, and the affixing of tags or labels to seed containers; regulating the sale of seeds by the drivers of trucks and other vehicles; providing for seizure of seeds when not properly labeled or tagged, or sold or offered for sale in violation of this Act; defining violators and providing penalties; providing for the use and disposition of funds; providing for the repeal of certain laws; providing a saving clause; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 891, "An Act to validate, ratify, approve, and confirm the acts of all housing authorities created by and organized pursuant to the "Housing Authorities Law" of the State of Texas, and which are located in any county in Texas having a population of not less than ninety thousand (90,000) and not more than one hundred thousand (100,000), according to the last preceding Federal Census, in undertaking the development and administration of housing projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities, who would not otherwise be able to secure such dwellings within the vicinity thereof; and to validate, ratify, approve, confirm, and declare enforceable all bonds, notes, and obligations of such housing authorities issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 199, "An Act to repeal Section 20 of Chapter 76 of Acts, 1935, Forty-fourth Legislature, Regular Session, as amended by Section 1 of Chapter 15 of Acts, 1937, Forty-fifth Legislature, Regular Session, as amended by Section 1 of House Bill No. 851, page 500, of Acts, 1939, Forty-sixth Legislature, Regular Session; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1086, "An Act declaring the recent flood in the City of Albany and elsewhere in Shackelford County to be a public calamity; donating and granting to the City of Albany, Texas, for a period of ten (10) years one-half of the State ad valorem taxes collected in Shackelford County for general revenue purposes; declaring the moneys so granted to be trust funds to aid said city in paying interest on and principal of and providing sinking fund for bonds or warrants hereafter issued by said city; specifying that the proceeds of such bonds or warrants be used exclusively in the construction of flood control works and improvements in conservation and utilization of water, in replacement of destroyed city lake, in repair and rebuilding of city waterworks system; prohibiting diversion of such moneys; specifying the reports to be made by the Assessor and Collector of collections of State ad valorem taxes for general revenue purposes and disposal thereof and providing for the payment over by him of the moneys collected; repealing Senate

Bill No. 502, Regular Session, Forty-seventh Legislature; providing that if any provision of this Act shall be held invalid or unconstitutional the other provisions shall not be affected; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1043, "An Act granting to the City of Port Arthur, Texas, all right, title, and interest of the State of Texas to certain land within said City, and lying adjacent to the Sabine-Neches Canal and lying between said Canal and Sabine Lake and commonly known as the Canal Spoil Bank; granting the City of Port Arthur the right to construct facilities for airports, army camps, etc.; and such other improvements as it may deem suitable; providing any such land and improvements may be rented, leased, or sold to the Government of the United States or the State of Texas; granting said City the right to lease said land to any person, firm, or corporation for a limited time, after such authority is approved at an election called for such purpose; granting said City the right and authority to grant franchises to any person, company, or corporation covering privileges accorded to the City of Port Arthur; granting said City the right to remove any encroachments or structures now or hereafter existing on said property with the right to bring any suit necessary to carry out provisions of the Act; reserving the mineral rights to the State of Texas but providing for compensation to said City for damages by the State; providing said grant of land to be subject to all rights which the United States Government may have to such land; providing for amount and time for payment by said City to the State of Texas; providing for issuance of patent by the General Land Office; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1038, "An Act providing for a closed season on wild deer and wild turkey in Upshur, east of State Highway 154 in such county, and Camp Counties for a period of five (5) years; prescribing penalties for the violation of this Act; repealing all laws in conflict; and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. J. R. No. 23, Proposing an amendment to Article 3 of the Constitution of the State of Texas authorizing the lending of Two Million Dollars (\$2,000,000) of the Permanent School Fund for the construction of a State office building or buildings; providing for repayment to the Permanent School Fund; providing for the submission of this amendment to the voters of this State; and providing for the necessary proclamation and expense of publication.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 209, Granting Heiner B. McPherson of Hill County, Texas, permission to sue the State of Texas.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 222, Permitting the

Treasurer of the State of Texas to pay State warrants at their face value which are issued pursuant to the provisions of House Bill No. 930 of the Forty-seventh Legislature.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 249, Recalling House Bill No. 161 from the Governor's Office at once for further consideration and correction.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 117, Granting William Trakas permission to bring suit against the State of Texas.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 124, Granting R. W. Dillard and wife of Ellis County, Texas, permission to bring suit against the State of Texas and against the Highway Department of the State of Texas.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

Austin, Texas, June 18, 1941.

Hon. Homer L. Leonard, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 133, Granting W. L. Priddy permission to sue the State.

Has carefully compared same and finds it correctly enrolled.

HOWINGTON, Chairman.

In Memory of
Hon. James D. Cottrell

Mr. Murray offered the following resolution:

H. S. R. No. 344, In Memory of Honorable James D. Cottrell.

The subject of this memorial, the Honorable James D. Cottrell, was born in Tennessee and came to Collin County from his native State more than fifty years ago. He located in Plano, Collin County, Texas, and rose to distinction as a lawyer and lawmaker in what is commonly known as the hard way. He was licensed to practice law by the District Court of Collin County in the year 1895 and practiced law in Plano, Collin County, from that time to the day of his death.

He was married to Miss Josephine Cook of Cuero on March 5, 1891, and on March 5th of this year celebrated their 50th or Golden Wedding anniversary at Plano, which was attended by friends and acquaintances of a great portion of North Texas.

He served as Assistant County Attorney for four years from 1898 to 1902 and in 1902 was elected to the Legislature and reelected in 1904, being a Member of the 28th and 29th Sessions of the Texas Legislature, in which service he attained marked distinction as a diligent worker for the public good and the author of much important legislation.

During his long labors as a practitioner of the law he was highly and favorably known in all the counties adjoining Collin and was regarded as a lawyer of the highest type and the best ability. He numbered his friends by scores and all who knew him loved him.

The Honorable James D. Cottrell died on June 15, 1941, and was buried in the Plano Mutual Cemetery on Monday, June 16, 1941, and is survived by his wife, Mrs. Josephine Cook Cottrell, and a daughter, Mrs. Wilson W. Crook, of Dallas, Texas; therefore, be it

Resolved, by the House of Representatives of the 47th Legislature, That we extend to his wife and daughter our deepest sympathy on the loss of a distinguished husband and father and that the Chief Clerk of the House be directed to furnish the surviving wife, Mrs. Josephine Cook Cottrell, and his daughter, Mrs. Wilson W. Crook of 4422 Arcady, Dallas, Texas, a copy of this resolution under the Seal of the House and that a copy of this resolution be spread upon the Journal and when the House adjourns this day that it do so in remembrance of this distinguished Texan.

MURRAY,
BENTON.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Blankenship, Boone, Brawner, Bray, Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Carrington, Cato, Celaya, Chambers, Clark, Cleveland, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis,

Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howard, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAlister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Ridgeway, Rhodes, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stanford, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Howington, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.

In Memory of
Miss Emma Kyle Burleson

Mr. Carrington offered the following resolution:

H. S. R. No. 345, In Memory of Miss Emma Kyle Burleson.

Whereas, God in His providence has seen fit to take from this earth Miss Emma Kyle Burleson, one of the truly distinguished women of Texas; and

Whereas, Her passing on June 16, 1941, at her home in Austin, Texas, was a distinct loss not only to the Capital City but to the entire State which she loved and whose history was so profoundly affected by the family whose name she bore; and

Whereas, Miss Burleson was a member of a Texas family dating back to the days when this State was a Republic, when her grandfather, General Edward Burleson, commanded the first regiment of Texas Volunteers in the Texas Revolution, fighting in the Bexar Campaign of 1835 and in the Battle of San Jacinto; and

Whereas, Her brother, Albert Sidney Burleson, not only served his State with distinction and honor but likewise served his Nation with outstanding distinction and ability when called by President Wilson to become a member of his Cabinet as Postmaster General of the United States, inaugurating the Air Mail as a part of the regular post office communication; and

Whereas, The Texas State Cemetery at Austin is located on a plot of ground given by Miss Burleson's grandfather who was the first person to be buried there; and

Whereas, Miss Emma Burleson was at the time of her death an active member of the Daughters of the Republic of Texas and chairman of its legislative committee; a devout member of the Catholic faith; a diligent and devoted worker both privately and publicly in efforts to promote the welfare of the underprivileged of her community; and a woman beloved by all who knew her, honored and respected for her fine womanly qualities, her unusual abilities and her generous, kindly spirit; now, therefore,

Be it resolved, by the House of Representatives, That we hereby express our appreciation for the splendid services which she has rendered Texas and its people through her long life of seventy-two years and that we deeply regret her passing; and

Be it further resolved, That we send copies of this resolution of condolence to her surviving sister in her hour of sorrow and that a copy of this resolution be spread upon the pages of the House Journal of this date, and when this House adjourns today that it do so in respect to the memory of this splendid woman who bore the name throughout her life of one of the greatest family names in Texas history.

CARRINGTON,
STANFORD,
HOWARD,
CLEVELAND.

The resolution was read second time.

Signed—Leonard, Speaker; Allen, Allison, Alsup, Avant, Bailey, Baker, Bean, Bell, Benton, Blankenship, Boone, Brawner, Bray,

Bridgers, Brown, Bruhl, Bullock, Bundy, Burkett, Burnaman, Carlton, Cato, Celaya, Chambers, Clark, Coker, Mrs. Colson, Connelly, Craig, Crossley, Crosthwait, Daniel, Davis, Deen, Dickson of Bexar, Dickson of Nolan, Donald, Dove, Duckett, Dwyer, Ellis, Eubank, Evans, Favors, Ferguson, Miss Files, Fitzgerald, Fuchs, Gandy, Garland, Gilmer, Goodman, Halsey, Hanna, Hardeman, Hargis, Harris of Dallas, Harris of Hill, Hartzog, Heflin, Helpinstill, Henderson, Hileman, Hobbs, Howington, Hoyo, Huddleston, Huffman, Hughes, Humphrey, Hutchinson, Isaacks, Jones, Kelly, Kennedy, Kersey, Kinard, King, Klingeman, Knight, Lansberry, Lehman, Leyendecker, Little, Lock, Love, Lowry, Lucas, Lyle, McAllister, McCann, McDonald, McGlasson, McLellan, McMurry, McNamara, Manford, Manning, Markle, Martin, Matthews, Mills, Montgomery, Moore, Morgan, Morris, Morse, Murray, Nicholson, Pace, Parker, Pevehouse, Phillips, Price, Rampy, Reed of Bowie, Reed of Dallas, Rhodes, Ridgeway, Roark, Roberts, Sallas, Senterfitt, Sharpe, Shell, Simpson, Skiles, Smith of Bastrop, Smith of Atascosa, Spacek, Spangler, Stinson, Stubbs, Taylor, Thornton, Turner, Vale, Voigt, Walters, Wattner, Weatherford, White, Whitesides and Winfree.

On the motion of Mr. Klingeman, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted by a rising vote.